Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.IV/MC.III/L.1
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DRAFT REPORT OF MAIN COMMITTEE III

Establishment and Terms of Reference

1. Under rule 34 of the Rules of Procedure, the Conference established Committee III as one of its three Main Committees and referred to it the following items for initial consideration (NPT/CONF.IV/...):

Item 13. Review of the operation of the Treaty as provided for in its article VIII (3): Implementation of the provisions of the Treaty relating to peaceful applications of nuclear energy:

(1) Articles IV and III (3), preambular paragraphs 6 and 7, especially in their relationship to article III (1, 2, 4) and preambular paragraphs 4 and 5 as well as to articles I and II.

(2) Article V.

Item 14. Role of the Treaty in the promotion of the non-proliferation of nuclear weapons and of nuclear disarmament and in strengthening international peace and security:

A. Acceptance of the Treaty by States.

B. Measures aimed at promoting a wider acceptance of the Treaty.

Officers of the Committee

2. The Conference elected Ambassador Chusei Yamada (Japan) as the Committee's Chairman; Dr. Ján Chandoga (Czech and Slovak Federal Republic) and Ms. Fatma Hussein (Arab Republic of Egypt) served as Vice-Chairmen.

Documents before the Committee

3. The Committee had before it the following background documentation:

NPT/CONF.IV/4	Working Paper on basic facts within the framework of the United Nations in connection with the realization of the purposes of articles IV and V of the Non-Proliferation Treaty.
NPT/CONF.IV/13	IAEA activities under article IV of NPT.
NPT/CONF.IV/14	IAEA activities under article V of NPT.
NPT/CONF.IV/18	Letter dated 10 July 1990 from the Permanent Representatives of Denmark, Finland, Iceland, Norway and Sweden addressed to the Provisional Secretary-General of the Third Review Conference.
NPT/CONF.IV/19	Information provided by the Union of Soviet Socialist Republics regarding the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons.
NPT/CONF.IV/20	United States information pertaining to the Treaty on the Non-Proliferation of Nuclear Weapons.
NPT/CONF.IV/21	The United Kingdom's implementation of the Treaty on the Non-Proliferation of Nuclear Weapons 1985-90.
NPT/CONF.IV/30	Statement to the Fourth NPT Review Conference by the Non-Aligned and other States parties to the NPT not taking part in the East European or Western Groups.

Documents containing elements relevant to a Final Declaration

4. The following documents were introduced in the Committee:

A. Documents submitted to the Conference

NPT/CONF.IV/31	Working Paper submitted by Egypt.
NPT/CONF.IV/L.2	Draft resolution on the peaceful uses of nuclear energy in relation with preambular paragraphs 6 and 7 and Article IV of the NPT from the Group of Non-Aligned States.

B. Documents submitted to the Committee

NPT/CONF.IV/MC.III/1	Background Paper on regional co-operative agreement (RCA) for Asia and the Pacific submitted by Malaysia on behalf of Australia, Bangladesh, Indonesia, Japan, Malaysia, Philippines, Republic of Korea, Singapore, Sri Lanka, Thailand and Viet Nam.

NPT/CONF.IV/MC.III/WP.1	Working Paper relating to article IV on suggested elements for language in Final Document of the NPT submitted by Australia, Austria, Canada, Denmark, Finland, Ireland, the Netherlands, New Zealand, Norway and Sweden.
NPT/CONF.IV/MC.III/WP.2	Working Paper on problems related to the nuclear safety international régime submitted by Italy.
NPT/CONF.IV/MC.III/WP.3 and Add.1	Working Paper containing a draft outline of the review of the NPT's operation on article IV - peaceful nuclear co-operation submitted by Bangladesh.
NPT/CONF.IV/MC.III/WP.4	Working Paper on proposed Final Document language relating to article V submitted by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden.
NPT/CONF.IV/MC.III/WP.5	Working Paper on suggested elements for Final Document - Committee III submitted by the United States of America.
NPT/CONF.IV/MC.III/WP.6	Working Paper on the prohibition of armed attack on nuclear facilities submitted by the Islamic Republic of Iran.
NPT/CONF.IV/MC.III/CRP.1	Conference Room Paper on attacks on nuclear facilities - proposed text to be included in the Final Declaration submitted by Hungary, the Netherlands and Sweden.
NPT/CONF.IV/MC.III/CRP.2	Conference Room Paper on the prohibition of armed attack on nuclear facilities submitted by the Islamic Republic of Iran.
NPT/CONF.IV/MC.III/CRP.3	Conference Room Paper on proposed language for inclusion in the Final Declaration on the review of Article IV of the NPT submitted by Nigeria.
NPT/CONF.IV/MC.III/L.1	Draft Report of Main Committee III.

Work of the Committee

5. The Committee held ... meetings between 27 August and ... September 1990; its discussions are summarized in documents NPT/CONF.IV/MC.III/SR. .... After an initial general exchange of views on the agenda items referred to it, the

Committee, following agreement on a programme of work suggested by the Chairman proceeded to a detailed consideration of the proposals and papers before it. The Committee noted that the various views expressed and proposals made were fully reflected in the summary records of the Committee and in the documents submitted to and considered by the Committee. These summary records and documents form an integral part of the report of the Committee.

6. At its meeting on 29 August 1990, the Committee, at the suggestion of the Chairman, formed an open-ended drafting group, which held ... meetings from 30 August to ... September 1990.

7. The Committee agreed on the following formulations for the Final Declaration of the Conference:

I. Inalienable rights and fullest possible exchange

1. The Conference affirms that the Treaty fosters the development of the peaceful uses of nuclear energy by providing a framework of confidence within which those uses can take place.

2. The Conference reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty. In this connection the Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing their respective fuel cycle policies.

3. The Conference also reaffirms the undertaking by all Parties to the Treaty to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material, services and scientific and technological information for the peaceful uses of nuclear energy. In this context, the Conference recognizes the contribution that this can make to progress in general and to the elimination of technological gaps between the developed and developing countries.

4. The Conference reaffirms the undertaking of the Parties to the Treaty in a position to do so to co-operate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States (NNWS) Party to the Treaty, with due consideration for the needs of the developing areas of the world. In this

context, the Conference recognizes the particular needs of the least developed countries. In this respect, the Conference expresses its strong support for the IAEA programmes in the peaceful uses of nuclear energy and considers that these programmes need to be further strengthened.

5. The Conference urges that, in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment be given to the NNWS Parties to the Treaty which have concluded the required safeguards agreement with IAEA, taking the needs of developing countries particularly into account.